

OFFICE OF THE FEDERAL DEFENDER

EASTERN DISTRICT OF CALIFORNIA

801 I STREET, 3rd FLOOR

SACRAMENTO, CALIFORNIA 95814

(916) 498-5700 Fax: (916) 498-5710

*Daniel J. Broderick
Federal Defender*

*Linda Harter
Chief Assistant Defender*

January 7, 2008

Mr. Arthur Pirelli
Attorney at Law
143 Third Street
San Rafael, CA 94901

gidel

Re: **Dudney v. D.K. Sisto**
Cvi.S-02-2416-GEB

FILED

JAN 25 2008

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY *JA* DEPUTY CLERK

Dear Mr. Pirelli:

This will confirm your appointment as counsel by the Honorable Garland E. Burrell, U.S. Magistrate Judge, to represent the above-named appellant. You are attorney of record until such time as you are relieved or other action is taken to appoint a different attorney.

Enclosed is CJA 20 form, your Order of Appointment and Voucher for services rendered. Also enclosed is an instruction sheet discussing the use of the forms, together with sample forms for reporting court time. This will also provide a uniformity in the way attorneys report their time and services rendered.

If we may be of any further assistance regarding the processing of the enclosed form, preparation of form CJA 21 for expert services, or in reference to any other matter pertaining to this case, please feel free to call upon us at any time.

Very truly yours,

[Handwritten signature of Cynthia L. Compton]

CYNTHIA L. COMPTON
CJA Panel Administrator

:clc
Enclosures

cc: Clerk's Office

JAN 18 2008

| | | | | | |
|--|--|--|--|---|--|
| 1. CIR./DIST./DIV. CODE 09C | | 2. PERSON REPRESENTED Dudney, Thomas | | VOUCHER NUMBER | |
| 3. MAG. DKT./DEF. NUMBER | | 4. DIST. DKT./DEF. NUMBER Civ.S-02-2416-GEB | | 5. APPEALS DKT./DEF. NUMBER 07-15570 | |
| 7. IN CASE/MATTER OF (Case Name) Dudney v. D.K. Sisto | | 8. PAYMENT CATEGORY Appeal | | 9. TYPE PERSON REPRESENTED Appellant | |
| | | | | 10. REPRESENTATION TYPE CA | |

11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) If more than one offense, list (up to five) major offenses charged, according to severity of offense.
Appeal of the denial of a habeas corpus

12. ATTORNEY'S NAME (First Name, M.I., Last Name, including any suffix) AND MAILING ADDRESS

Arthur Pirelli, Esq.
143 Third Street
San Rafael, CA 94901

Telephone Number: (415) 847-0409

13. COURT ORDER

- ☐ O Appointing Counsel ☐ C Co-Counsel
☐ F Sub For Federal Defender ☐ R Sub For Retained Attorney
☐ P Sub For Panel Attorney ☐ Y Standby Counsel

Prior Attorney's Name: _____

Appointment Date: _____

☐ Because the above-named person represented has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in Item 12 is appointed to represent this person at this rate, or

☐ Other (See Instructions)

Signature of Presiding Judicial Officer or by Order of the Court: *[Signature]* 12/21/07

Date of Order

Next Pre Term Date

Repayment or partial repayment ordered from the person represented for this service at time of appointment. ☐ YES ☐ NO

14. NAME AND MAILING ADDRESS OF LAW FIRM (only provide per instructions)

CATEGORIES (Attach Memorization of services with dates)

HOURS CLAIMED

TOTAL AMOUNT CLAIMED

MATH/TECH ADJUSTED HOURS

MATH/TECH ADJUSTED AMOUNT

ADDITIONAL REVIEW

| | | | | | |
|------------------|--|--|--|--|--|
| 15. In Court | a. Arraignment and/or Plea | | | | |
| | b. Bail and Detention Hearings | | | | |
| | c. Motion Hearings | | | | |
| | d. Trial | | | | |
| | e. Sentencing Hearings | | | | |
| | f. Revocation Hearings | | | | |
| | g. Appeals Court | | | | |
| | h. Other (Specify on additional sheets) | | | | |
| | (Rate per hour = \$ 94) TOTALS: | | | | |
| 16. Out of Court | a. Interviews and Conferences | | | | |
| | b. Obtaining and reviewing records | | | | |
| | c. Legal research and brief writing | | | | |
| | d. Travel time | | | | |
| | e. Investigative and Other work (Specify on additional sheets) | | | | |
| | (Rate per hour = \$ 94) TOTALS: | | | | |
| 17. | Travel Expenses (lodging, parking, meals, mileage, etc.) | | | | |
| 18. | Other Expenses (other than expert, transcripts, etc.) | | | | |

19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE
FROM _____ TO _____

20. APPOINTMENT TERMINATION DATE
IF OTHER THAN CASE COMPLETION

21. CASE DISPOSITION

22. CLAIM STATUS

☐ Final Payment

☐ Interim Payment Number _____

☐ Supplemental Payment

Have you previously applied to the court for compensation and/or reimbursement for this case? ☐ YES ☐ NO If yes, were you paid? ☐ YES ☐ NO

Other than from the court, have you, or to your knowledge has anyone else, received payment (compensation or anything of value) from any other source in connection with this representation? ☐ YES ☐ NO If yes, give details on additional sheets.

I swear or affirm the truth or correctness of the above statements.

Signature of Attorney: _____

Date: _____

| | | | | |
|--|------------------------|---------------------|--------------------|------------------------------|
| 23. IN COURT COMP. | 24. OUT OF COURT COMP. | 25. TRAVEL EXPENSES | 26. OTHER EXPENSES | 27. TOTAL AMT. APPR / CERT |
| 28. SIGNATURE OF THE PRESIDING JUDICIAL OFFICER | | | DATE | 28a. JUDGE / MAG. JUDGE CODE |
| 29. IN COURT COMP. | 30. OUT OF COURT COMP. | 31. TRAVEL EXPENSES | 32. OTHER EXPENSES | 33. TOTAL AMT. APPROVED |
| 34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) Payment approved in excess of the statutory threshold amount. | | | DATE | 34a. JUDGE CODE |

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

DEC 13 2007

CATHY A. CATTISON, CLERK
U.S. COURT OF APPEALS

THOMAS DUDNEY,

Petitioner - Appellant,

v.

D. K. SISTO, Warden; et al.,

Respondents - Appellees.

No. 07-15570

D.C. No. CV-02-02416-GEB
Eastern District of California,
Sacramento

ORDER

Before: Peter L. Shaw, Appellate Commissioner.

The motion to proceed in forma pauperis is granted. The Clerk shall amend the docket to reflect this status.

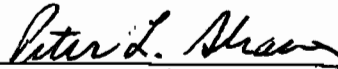
Appellant's motion for appointment of counsel in this habeas corpus appeal is granted. See 18 U.S.C. § 3006A(a)(2)(B); *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983) (per curiam). Counsel will be appointed by separate order.

The Clerk shall serve a copy of this order on Daniel Broderick, Federal Public Defender, 801 I Street, 3rd Floor, Sacramento, California 95814, who will locate appointed counsel. The district court shall provide the Clerk of this court with the name and address of appointed counsel by facsimile transmission (FAX: (415) 355-8111) within 14 days of locating counsel.

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07-15570

The opening brief and excerpts of record are due February 15, 2008; the answering brief is due March 17, 2008; and the optional reply brief is due within 14 days after service of the answering brief.



General Order 6.3(e)